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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,934	11/21/2003	Hiroshi Abe	42530-6200	4003

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EXAMINER

BEAUCHAINE, MARK J

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/719,934	ABE ET AL.	
	Examiner	Art Unit	
	Mark J. Beauchaine	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/21/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "pivotally attached" (line 2) is ambiguous because it is unclear what element the coin elevator unit is attached to. Also, the term "coin operator unit" (line 2) lacks sufficient antecedent bases.

Appropriate correction is required.

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 12-14, 15, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 2,853,083 by Roedelheimer et al ("Roedelheimer") in view of Patent Number 4,943,258 by Abe ("Abe"). The guiding device disclosed by Roedelheimer incorporates disc guiding unit 4 that is pivotally attached to stationary element A and pivotally extends from a first operative mode to a second non-operative mode of operation that is about 90 degrees from the first mode. Said dispenser further incorporates fixing unit 19.

Roedelheimer fails to disclose a storage hopper attached to said disc guiding unit and a disc holding unit. Abe teaches disc guiding unit/coin elevator unit 18 attached to storage hopper 16 for the purpose of supplying large numbers of discs to the disc guiding unit/coin elevator unit, and disc holding unit 17 for the purpose of contacting and securing discs. Coins are removed from the hopper via a selector unit. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the hopper/guiding unit configuration and the disc holding unit of Abe into the apparatus of Roedelheimer for the purposes of supplying large numbers of discs to the disc guiding unit/coin elevator unit, and securing discs in the guiding device, respectively.

Claims 4 and 5, and claim 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roedelheimer in view of Abe as applied to claims 3 and 15, respectively, above, and further in view of Patent Number 4,184,645 by Starling ("Starling"). Roedelheimer/Abe fails to disclose a buffering unit. Starling teaches buffering unit 100/101/104 for the purpose of creating a variable resistance to rotational movement between two rotationally attached elements 88 and 92. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the buffering unit of Starling into the apparatus of Roedelheimer/Abe for the purpose of creating a variable resistance to rotational movement between two rotationally attached elements.

Although the buffering unit of Starling does not engage elements of a coin dispenser, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both the elements 88 and 92 of Starling and the elements A and 4 of Roedelheimer are rotationally attached. Accordingly, the buffering unit of Starling is reasonably pertinent to the problem of restricting rotational movement of rotational element 4 of Roedelheimer.

Claims 6, 7, 9 and 10, and claim 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roedelheimer in view of Abe as applied to claims 3 and 15, respectively, above, and further in view of Patent Number 3,730,575 by Arlauskas et al ("Arlauskas"). Roedelheimer/Abe fails to disclose a fastener. Arlauskas teaches fastener 29 (see Figure 2) for the purpose of securing two rotationally attached members 22 and 38 together in a fixed position. Said fastener comprises spring biased hook member 50 for engaging pin member 46,

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the fastener 29 of Arlauskas into the apparatus of Roedelheimer/Abe for the purpose of securing the rotationally attached members 4 and A of Roedelheimer together in a fixed position.

Although the fastener 29 of Arlauskas does not engage elements of a coin dispenser, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, both the rotationally attached elements 22 and 38 of Arlauskas and the elements A and 4 of Roedelheimer are rotationally attached. Accordingly, the fastener 29 of Arlauskas is reasonably pertinent to the problem of restricting rotational movement of rotational element 4 of Roedelheimer.

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Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roedelheimer in view of Abe as applied to claim 3 above, and further in view of Patent Number 3,924,427 by San Juan ("San Juan"). Roedelheimer/Abe fails to disclose spring based pin for engagement with a locking hole. San Juan teaches fixing unit (see Figure 2) including spring based pin 30 that engages locking hole 28 for the purpose of fixing rotational member 20 to stationary member 22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the fixing unit of San Juan into the apparatus of Roedelheimer for the purpose of fixing rotational member 4 to stationary member A.

Although the fixing unit of San Juan does not fix elements of a coin dispenser, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, rotational element A of Roedelheimer is fixed to stationary element A via fixing unit 19/26. Accordingly, the fixing unit of San Juan is reasonably pertinent to the problem of restricting rotational movement of rotational element 4 of Roedelheimer.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roedelheimer in view of Abe as applied to claim 1 above, and further in view of Patent Number 4,230,136 by Heinrichs ("Heinrichs"). Roedelheimer/Abe fails to disclose a

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carrying handle. Heinrichs teaches a coin handling apparatus incorporating carrying handle 3 for the purpose of transporting the apparatus. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the handle 3 of Heinrichs into the apparatus of Roedelheimer/Abe for the purpose of transporting the apparatus.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjb



PATRICK MACKEY
PRIMARY EXAMINER